

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jeff S. EDER

Application No. 10/025,794

Group Art Unit: 3624

Filed: December 26, 2001

Examiner: Richard Weisberger

For: PROCESS OPTIMIZATION SYSTEM

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO - 1449 and/or Substitute Form PTO - 1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- ☐ after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes one of:
- ☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below)
 - or
 - ☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(c) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and within thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below). NOTE: This is for original applications except applications for a design patent filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- ☒ Copies of all of the references listed on the enclosed Form 1449 are being uploaded to the PTO.
- ☐ This patent application was filed after June 30, 2003. Accordingly, copies of U.S. patents and patent applications that are listed on the accompanying Form 1449 are not enclosed herewith (see Official Gazette Notice of August 5, 2003). Copies of other references identified on the accompanying Form 1449 are enclosed herewith.
- ☐ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of

relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).

- ☐ A copy of the foreign search report is enclosed herewith.
- ☐ Many of the references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (check one)		
U.S. APPLICATIONS	U.S. Filing Date	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

- ☐ The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☒ The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

- ☐ The undersigned hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

☐

No fee is owed by the assignee(s).

☒

The IDS Fee of \$180 under 37 CFR 1.17(p) was paid on 3/22/06 at the time of original submission (see below).

The Assignee would also like to inform the Examiner that all previously submitted references have been scanned to pdf files. As a result, any missing document(s) can now be uploaded to the files upon receipt of a request to do so. Please send any request for any reference that has been "lost" in the U.S.P.T.O. to ipcommittee@asset-trust.com. In most cases the document(s) will be sent the same day the email is received.

This IDS form is being resubmitted because the payment for the IDS form sent of March 21, 2006 was processed on March 22, 2006 but the form that was faxed at the same time does not appear in the official files.

Respectfully submitted,

/B.J. Bennett/

B.J. Bennett, President Asset Trust, Inc.

Date: April 8, 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/025,794
Filing Date	12/26/2001
First Named Inventor	Jeff S. Eder
Art Unit	3624
Examiner Name	Richard Weisberger
Attorney Docket Number	AR - 28

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US-	5,224,034 - B1	06-29-1993	Katz, Paul	
	US-	5,237,946 - B1	08-17-1993	Kagami, Akari	
	US-	5,128,861 - B1	07-07-1992	Kagami, Akari	
	US-	5,237,495 - B1	08-17-1993	Moril, Hideki	
	US-	3,749,892 - B1	07-31-1973	Stenning, Patrick	
	US-	5,361,201 - B1	11-01-1994	Jost, Allen et al	
	US-	3,933,305 - B1	01-20-1976	Murphy, John Michael	
	US-	4,989,141 - B1	01-29-1991	Lyons, Richard	
	US-	5,317,504 - B1	05-31-1994	Nakayama, Mamoru	
	US-	5,414,621 - B1	05-09-1995	Hough, John	
	US-	5,193,055 - B1	03-09-1993	Brown, Gordon	
	US-	5,809,282 - B1	09-15-1998	Cooper, Dennis	
	US-	5,875,431 - B1	02-23-1999	Heckman et al	
	US-	5,737,581 - B1	04-07-1998	Keane, John	
	US-	5,812,988 - B1	09-22-1998	Sandretto, Michael	
	US-	6,125,355 - B1	09-26-2000	Bekaert et al	
	US-	6,173,276 - B1	01-19-2001	Kant, Elaine	
	US-	6,112,188 - B1	08-29-2000	Harnett, William	
	US-	6,134,536 - B1	10-17-2000	Shepherd, Ian	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ² Number ¹ Kind Code ² (if known)			¹
		EP 0 587 290 A2	03-16-1994	Powers et al	
		GB 2 253 081 A	02-19-1992	Kaisha, Kabushi	
		WO 983 8588	02-28-1997	Mayon & White	

Examiner Signature	Date Considered
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*EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-760-9199) and select option 2.

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		Number-Kind Code ² (if known)			
	US	6,332,163 - B1	12-18-2001	Bowman-Amuah, Michel	
	US	5,802,501 - B1	9-1-1998	Graff, Richard A.	
	US	4,839,304 - B1	6-13-1989	Roberts et al	
	US	6,148,293 - B1	11-14-2000	Douglas L. King	
	US	5,742,775 - B1	04-21-1998	Douglas L. King	
	US	5,802,501 - B1	09-01-1998	Graff, Richard	
	US	2002/0023034-A1	02-21-2002	Brown et al	
	US	2002/0052820-A1	05-02-2002	Gatto, Joseph	
	US	2002/0002520-A1	01-03-2002	Gatto, Joseph	
	US	2002/0016758-A1	02-07-2002	Grigsby, Calvin	
	US	6,189,011 - B1	2-13-2001	Lim et al.	
	US	6,209,124 - B1	3-27-2001	Vermeire et al.	
	US	6,366,934 - B1	4-02-2002	Cheng et al.	
	US	6,282,531 - B1	8-28-2001	Haughlon et al.	
	US	6,738,753 - B1	5-18-2004	Hogan, Michael	
	US	5,774,873 - B1	03-29-1996	Berent, Thomas	
	US	5,794,219 - B1	08-11-1998	Brown, Stephen	
	US	5,668,591 - B1	03-29-1995	Shintani, Peter	
	US	20030083973 - A1	5-1-2003	Horsfall, Peter	

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	US	6,078,901 - B1	6-20-2000	Ching, Hugh	
	US	5,644,727 - B1	07-01-1997	Atkins, Charles Agee	
	US	5,704,055 - B1	12-30-1997	George et al	
	US	5,704,045 - B1	12-30-1997	King et al	
	US	6,278,981 - B1	08-21-2001	Dembo et al	
	US	5,191,522 - B1	03-02-1993	Bosco et al	
	US	6,064,972 - B1	05-16-2000	Jankowitz et al	
	US	6,263,314 - B1	07-17-2001	Donner, Irah H.	
	US	6,092,056 - B1	07-18-2000	Tull Jr. et al.	
	US	5,708,495 - B1	01-06-1998	Chadha et al.	
	US	5,649,181 - B1	07-15-1997	French et al.	
	US	5,471,611 - B1	11-28-1995	McGregor, Douglas	
	US	5,680,305 - B1	10-21-1997	Aggar, Mahlon	
	US	5,406,477 - B1	04-11-1995	Harhen, John	
	US	5,819,237 - B1	10-06-1998	Garman, Mark	
	US	6,064,971 - B1	05-16-2000	Hartnett, William	
	US	6,584,507 - B1	6-24-2003	Bradley et al.	
	US	6,732,095 - B1	05-04-2004	Warshavsky et al.	
	US	6,418,448 - B1	7-09-2002	Sarkar, Shyam Sundar	

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		Number-Kind Code ² (if known)			
	US-	5,819,237 - B1	10-06-1998	Garman, Mark	
	US-	6,026,397 - B1	02-15-2000	Sheppard, Colin	
	US-	6,453,297 - B1	09-17-2002	Burks, James	
	US-	6,249,768 - B1	06-19-2001	Tulskie, William	
	US-	6,546,381 - B1	04-08-2003	Subramanian, Narayan	
	US-	6,795,811 - B1	09-21-2004	Epstein, Lee	
	US-	6,073,115 - B1	06-06-2000	Marshall, Paul	
	US-	6,876,992 - B1	04-05-2005	Sullivan, Andrew	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/025,794
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		First Named Inventor	Jeff S. Eder
		Art Unit	3624
		Examiner Name	Richard Weisberger
Sheet	of	Attorney Docket Number	AR - 28

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	ZIPP, ALAN S.; Business valuation methods; 1993, AICPA	
	2	DAVIDOW, WILLIAM; Accounting systems are completely wrong, January 1995, Red Herring	
	3	MCTAGGERT, JAMES, KONTES, PETER AND MANKINS, MICHAEL, The value imperative, 1994, The Free Press	
	4	RAPPAPORT, ALFRED; Creating shareholder value; 1986, The Free Press	
	5	RITCHKEN, PETER, Options, Theory, Strategy and Applications, 1987, Foresman and Company	
	6	DIXIT, AVINASH & PINDYCK, ROBERT; Investment under uncertainty; 1994; Princeton University Press	
	7	GARSON, DAVID; Interpreting neural network connection weights, 4/1/1991, AI Expert	
	8	WELLSTEAD, STEPHEN; Neural network and fuzzy logic applications in C/C++; 1994; John Wiley & Sons	
	9	MOST, KENNETH; Accounting theory; 1977, Grid, Inc.	
	10	HENDRIKSEN, ELDEN, Accounting theory, 1982, Richard D. Irwin	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.W./

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Sheet

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NON PATENT LITERATURE DOCUMENTS

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	11	KULKARNI, ARUN; Artificial neural networks for image understanding; 1/1/1994; Van Norstrand Reinhold	
	12	WARD SYSTEMS GROUP; NeuroWindows User Manual; 1993; Wards Systems Group	
	13	BREALEY, RICHARD & MYERS, STEWART; Principles of Corporate Finance; 1991; McGraw Hill	
	14	FAULKNER, TERRENCE; Applying options thinking to R&D valuation; 5/1/1996; Research Technology Manage	
	15	MILLER, MERTON & MODIGLIANI, FRANCO; Dividend policy, growth and the valuation of shares, 10/1/1961,	
	16	SIMENSKY, MELVIN & BRYER, LANNING; The new role of intellectual property in commercial transactions,	
	17	WILSON, ALBERT; Emerging approaches to impaired property valuation, 4/1/1996, Appraisal Journal, v64	
	18	BROWN, GORDON T. Free cash flow appraisal, a better way, 4/1/1996, Appraisal Journal, v64, number 2,	
	19	BUSINESS EDITORS & REAL ESTATE INDUSTRY WRITERS, EQK Realty Investors I, 4/2/1992, Press Release	
	20	SWAD, RANDY, Business valuation, applicable standards for CPA's, 9/1/1995, CPA Journal v65, number 9	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Complete if Known

Application Number	10/025,794
Filing Date	12/26/2001
First Named Inventor	Jeff S. Eder
Art Unit	3624
Examiner Name	Richard Weisberger
Attorney Docket Number	AR - 28

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	21	REILLY, ROBERT; Valuation of intangibles for bankruptcy and reorganization purposes; 8/1/1994; Ohio	
	22	LIEBICH, KIM; How to value a bank; 8/1/1995; ABA Banking Journal	
	23	BAUMANN, BARBARA H & OXAAL, MARJORIE R; Estimating the value of a group medical practice, a primer;	
	24	MAXSON, MARK; Will you get your money's worth?; 5/1/1993, Financial Executive	
	25	FRIEDMAN, RICHARD; Business valuation: calculating it right; 10/1/1994; Practical Accountant	
	26	MULLEN, MAGGIE; How to value intangibles; 11/1/1993; Accountancy	
	27	STEWART, THOMAS; Trying to grasp the intangible; 10/2/1995 Fortune	
	28	OUROSOFF, ALEXANDRA; What the world's top brands are worth; 9/1/1992; Finance World	
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	31	HIRSCH, A. ETHAN, What's it worth?, 12/21/1992, Accounting Today, v6, number 24, p 16	
	32	MYERS, STEWART & HOWE, CHRISTOPHER: A life-cycle financial model of Pharmaceutical R&D; 4/1/1997:MIT	
	33	SIMON, CAROL J. & SULLIVAN, MARY W.; The Measurement and Determinants of Brand Equity; 10/1/1993; Ma	
	34	Sveiby, Karl Erik & Mellander, Klas; Tango Learning Guide Version 2.1; 1994; Celemi	
	35	KAUFMAN, J. JERRY; Value Management; 1998; Crisp	
	36	HBS Press; Measuring Corporate Performance; 1998; HBS Press	
	37	KAPLAN, ROBERT & NORTON, DAVID; The Balanced Scorecard; 1996; HBS Press	
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First Named Inventor	Jeff S. Eder
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	41	BOUQUET, PAOLO, SEARAFINI, LUCIANO, et al; Modeling and Using Context - Context 99, 09/99, Springer	
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	44	FRANKE, JURGEN, HARDLE, WOLFGANG, et al; Measuring Risk in Complex Stochastic Systems; 2000, Springer	
	45	SHIMPI, PRAKASH, Integrating Corporate Risk Management, 10/99, Swiss Re New Markets	
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Application Number	
Filing Date	06/03/2004
First Named Inventor	Jeff S. Eder
Art Unit	
Examiner Name	
Attorney Docket Number	VM - 68

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	51	KLUGE, JURGEN, STEIN, WOLFRAM, LICHT, THOMAS, Knowledge Unplugged, 2001, Palgrave	
	52	QUINN, JAMES BRIAN, Intelligent Enterprise, Free Press, 1992	
	53	FOWLER, MARTIN; Analysis Patterns: Reusable Object Models, 1997, Addison Wesley	
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	55	FAHY, MARTIN, Strategic Enterprise Management Systems, 2001, CIMA	
	56	Hancock, John, Huber, Peter, The economics of insurance, Swiss Re Press, 1/1/2001	
	57	Clark, Peter, Knowledge entry as the graphical assembly of components, KCAP 01, 2001	
	58	Upton, Wayne, Special report: business and financial reporting challenges of the new economy, FASB,	
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Application Number	10/025.794
Filing Date	12/26/2001
First Named Inventor	Jeff S. Eder
Art Unit	3624
Examiner Name	Richard Weisberger
Attorney Docket Number	AR - 28

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		Culp, Christopher et al, "Value at Risk for Asset Managers", Derivatives Quarterly, Vol 5, 01/8/99	
		Chicago Mercantile Exchange, "SPAN - Frequently Asked Questions", CME web site, 2/17/2006	
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		Barua, Anilsh; Lee, C.H. Sophie; Whinston, Andrew, "The Calculus of Reengineering", August 1994	

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Application Number	10/025.794
Filing Date	12/26/2001
First Named Inventor	Jeff S. Eder
Art Unit	3628
Examiner Name	Richard Weisberger
Attorney Docket Number	AR - 28

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		BRISYS, ERIC, Insurance from underwriting to derivatives, John Wiley & Sons, 2001	
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		Hull, John, Options, futures and other derivatives, Prentice Hall, 2001	
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